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LIFE INSURANCE COMPANY  
OF NORTH AMERICA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

LIFE INSURANCE COMPANY OF  
NORTH AMERICA,

Plaintiff,

v.

KATHY CLEVELAND, ANTHONY  
PETRU AS TRUSTEE OF THE  
MICHAEL A. PETRU TRUST dated  
11/20/02 and DOES 1 - 10,

Defendants.

CASE NO. CV08-05052 SI

**REQUEST FOR 60 DAY CONTINUANCE  
OF CASE MANAGEMENT  
CONFERENCE**

Plaintiff Life Insurance Company of North America ("LINA"), hereby requests a continuance of the case management conference currently set for February 13, 2009 for good cause as follows:

LINA filed its complaint in interpleader on November 5, 2008. Since filing the complaint, LINA has learned that there are additional funds which need to be interpled and deposited with the Court. LINA has determined that it will be necessary to amend the complaint

1 to encompass the additional funds. However, LINA has not yet received those funds and has not  
2 been able to deposit them with the Court. For that reason, LINA has not served the defendants  
3 with the original complaint.

4 LINA anticipates receipt of the funds by the end of February 2009, and will amend the  
5 complaint accordingly and serve the defendants. Both defendants in this action are aware that  
6 LINA is awaiting receipt of the funds, that LINA intends to amended complaint thereafter and  
7 that LINA intends to serve the defendants immediately after filing the amended complaint.

8 For these reasons, LINA requests that this Court continue the case management  
9 conference to April 13, 2009 or the closest date thereafter as convenient for the Court.

10 RESPECTFULLY REQUESTED:

11  
12 Date: January 23, 2009

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP


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14  
15 By: /s/ Dennis J. Rhodes  
Adrienne C. Publicover  
Dennis J. Rhodes  
16 Attorneys for Plaintiff  
17 LIFE INSURANCE COMPANY OF NORTH AMERICA

18 **ORDER**

19 **PURSUANT TO THIS REQUEST AND FOR GOOD CAUSE APPEARING, IT IS**  
20 **HEREBY ORDERED THAT:**

21 The Case Management Conference currently set for February 13, 2009, is continued to  
22 ~~April 13, 2009.~~ April 10, 2009

23  
24 Dated: \_\_\_\_\_

By:   
Honorable Susan Illston  
United States District Court Judge